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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,735	12/21/2001	Kou-Chang Liu	KCX-479 (17366)	3667

7590 04/09/2003

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EXAMINER

PENG, KUO LIANG

ART UNIT	PAPER NUMBER
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1712

DATE MAILED: 04/09/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/036,735

Applicant(s)

LIU, KOU-CHANG

Examiner

Kuo-Liang Peng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/25/03 IDS.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19, 21-25, 43-53 is/are allowed.
- 6) ☒ Claim(s) 26-42 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance: See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 20 is objected to because of the following informalities:

In Claim 20 (line 1), should "9" be -- claim 9 --?

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 26-42 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 26-42 recite the limitation "said paper web" in lines 4, 5 and 7 of Claim 26 and line 2 of Claim 39. There is insufficient antecedent basis for this limitation in the claims.

### ***Allowable Subject Matter***

4. Claims 1-19, 21-25 and 43-53 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Liu (US 6,432,270) discloses a soft absorbent tissue produced by rotogravure coating of a hydrophilically-modified amino-functional polydiorganosiloxane onto the tissue basesheet (col.

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9, lines 5-25). However, Liu does not teach or suggest extruding a hydrophobic composition or a topical composition in fibrous forms onto the tissue basesheet.

Krzysik (US 5,665,426) discloses a soft tissue produced by depositing (rotogravure printing) solidified hydrophobic composition onto the surface of the tissue (col. 2, line 55 to col. 3, line 49). The shape of the deposits can be 150 microns in length and 110 microns in width (i.e., not in fibrous form)(col. 4, lines 44-59). However, Krzysik does not teach or fairly suggest a) using an extrusion process to deposit fibers onto the surface of a tissue; or b) a tissue having fibrous deposits on the surface.

Mackey (US 5,705,164) discloses a process for depositing a solid lotion composition (col. 8, lines 25+) onto a tissue paper by extrusion coating (col. 21, line 65+ and col. 22, line 66+). The extrusion coating is described in Fig. 2 wherein the lotion composition is melted before extrusion and the melted lotion composition is extruded through an elongated slot (i.e., in a film form) (col. 22, line 55+ and col. 23, lines 51+). However, Mackey does not teach or suggest that melted lotion composition is extruded in fibrous form.

6. Claim 26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

The patentability of Claim 26 is described in paragraph 5.

7. Claims 20 and 27-42 would be allowable if rewritten to overcome the rejection(s) under the claim objection and/or 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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The patentability of the instant claims is described in paragraph 5.

8. The references cited in the information disclosure statement filed on September 16, 2002 are lined through because they are redundant.

9. The letters received by the Office on September 9, 2002 and March 4, 2003 requesting Examiner's review of the copending U.S. Application Numbers 10/029,118 and 10/281,886. The instant copending Applications have been considered. However, the letters are not initialed and returned to Applicants because the letters are not in proper forms, i.e., the copending U.S. Application numbers do not appear in separate listings from the letters. See MPEP609 and 37 CFR 1.98 (a)(1).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (703) 306-5550. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Dawson, can be reached on (703) 308-2340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Kuo-Liang Peng

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April 7, 2003

Kaher Peng